

United States District Court
Southern District of Texas

ENTERED

November 03, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

THE GENERAL LAND OFFICE OF THE §
STATE OF TEXAS; and GEORGE P. §
BUSH, in his official capacity as §
Commissioner of the General Land Office §
of the State of Texas, §

Plaintiffs, §

VS. §

JOSEPH R. BIDEN, in his official capacity §
as President of the United States of §
America; UNITED STATES §
DEPARTMENT OF HOMELAND §
SECURITY; and ALEJANDRO §
MAYORKAS, in his official capacity as §
Secretary of the United States Department §
of Homeland Security, §

Defendants. §

THE STATE OF MISSOURI; and THE §
STATE OF TEXAS, §

Plaintiffs, §

VS. §

JOSEPH R. BIDEN, JR., in his official §
capacity as President of the United States of §
America; THE UNITED STATES OF §
AMERICA; ALEJANDRO N. §
MAYORKAS, in his official capacity as §
Secretary of the United States Department §
of Homeland Security; UNITED STATES §
DEPARTMENT OF HOMELAND §
SECURITY; TROY A. MILLER, in his §
official capacity as the Acting §
Commissioner of the United States Customs §
and Border Protection; and UNITED §

CIVIL ACTION NO. 7:21-cv-00272

CIVIL ACTION NO. 7:21-cv-00420

(Formerly

CIVIL ACTION NO. 6:21-cv-00052)

STATES CUSTOMS AND BORDER §
PROTECTION, §
§
Defendants. §

ORDER

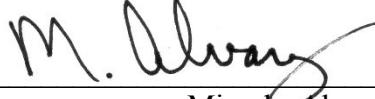
In *General Land Office of the State of Texas v. Biden*, No. 7:21-cv-272, Dkt. No. 20 (S.D. Tex. Oct. 25, 2021) (Alvarez, J.), the government defendants moved to consolidate their case, viz. 7:21-cv-272, with civil action number 6:21-cv-52, now 7:21-cv-420. The motion indicates that the Plaintiffs in 7:21-cv-420, viz. the States of Missouri and Texas, oppose consolidation whereas the plaintiffs in 7:21-cv-272 do not oppose consolidation. Accordingly, the Court **ORDERS** Plaintiffs Missouri and Texas to file their response brief to defendants' motion to consolidate in civil action number 7:21-cv-272 no later than **November 23, 2021**. Failure to file a timely response brief will render Defendants' motion to consolidate in 7:21-cv-272 unopposed by operation of Local Rule 7.4.

The Court also considers the "Motion to Dismiss by the Federal Government Defendants" filed on October 18, 2021 in civil action number 7:21-cv-272. The Court **ORDERS** that briefing and consideration of the motion to dismiss is **STAYED** pending resolution of the consolidation issue.

With respect to the initial pretrial and scheduling conference, the Court **ORDERS** all parties in civil action numbers 7:21-cv-420 and 7:21-cv-272 to follow the July 14, 2021 "Order for Conference and Disclosure of Interested Parties" in 7:21-cv-272, with the amendment that the initial pretrial and scheduling conference is set for **February 15, 2022, at 9:00 a.m.**

IT IS SO ORDERED.

DONE at McAllen, Texas, this 3rd day of November 2021.



Micaela Alvarez
United States District Judge